UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 06-3334

UNITED STATES OF AMERICA

v.

BRYAN J. HAWES

a/k/a FINANCIAL MANAGEMENT

ADVISORY SERVICES, INC.

a/ka/ FINANCIAL MANAGEMENT SERVICES, INC.

Bryan J. Hawes,
Appellant
(WD/PA Criminal No. 04-cr-00082)

Before: RENDELL, WEIS and NYGAARD, Circuit Judges.

ORDER VACATING OPINION AND JUDGMENT

It is hereby ordered that the precedential opinion and judgment, filed in this case on March 27, 2008, are hereby VACATED and an amended opinion will be filed forthwith.

By the Court,

/s/ Marjorie O. Rendell Circuit Judge

Dated: April 17, 2008

CRG/cc: James J. Brink, Esq.

Michael L. Ivory, Esq. Robert L. Eberhardt, Esq.